

**Standards of Accreditation Chapter 55**  
**Final Recommended Changes to Chapter 55 Rule Language**  
**April 2012**

Administrative Rules of Montana 10.55.901-10.55.910	Recommended Changes
<b>10.55.901 BASIC EDUCATION PROGRAM: ELEMENTARY</b>	
(1) An elementary school shall have an education program aligned to the program area standards that enables students to meet the content and performance standards. (History: 20-2-114, MCA; IMP, 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00.)	(1) An elementary school shall have an education program aligned to the program area standards that enables students to meet the content <del>and performance</del> standards <u>and content specific grade-level learning progressions.</u>
<b>10.55.902 BASIC EDUCATION PROGRAM: MIDDLE GRADES</b>	
(1) A school with middle grades must have an education program aligned to the program area standards that enables all students to meet the content and performance standards.	(1) A school with middle grades must have an education program aligned to the program area standards that enables all students to meet the content <del>and performance</del> standards <u>and content specific grade-level learning progressions.</u>
(2) In order to receive funding at the high school rate for grades 7 and 8, the program must follow either the middle school philosophy and components described in (3) or the departmentalized philosophy and components (often seen in junior high settings) described in (4).	(2) In order to receive funding at the high school rate for grades 7 and 8, the program must follow either the middle school philosophy and components described in (3) or the departmentalized philosophy and components <del>(often seen in junior high settings)</del> described in (4).



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(3) An officially recognized middle school must be approved by the Board of Public Education upon recommendation of the superintendent of public instruction.	No Change
(a) A middle school specifically addresses the unique nature of middle-grade children by focusing on their intellectual, social, emotional, and physical development. To put such philosophy into practice, a middle school must have flexibility to:	No Change
(i) approach instruction, scheduling, and teaching in a variety of ways;	No Change
(ii) undertake interdisciplinary work; and	No Change
(iii) plan blocks of coursework deriving from the intellectual, social, emotional, and physical needs of middle school students.	No Change
(b) Critical and creative thinking, career awareness, lifelong learning, and safety must be incorporated in the school program.	No Change
	<u>(c) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana Common Core Standards of Chapter 53 Administrative Rules of Montana.</u>
(c) At a minimum, the following program areas shall be required of all students yearly:	<del>(c)</del> <u>(d)</u> At a minimum, the following program areas shall be required of all students yearly:
(i) communication arts including, but not limited to literature, reading, writing, speaking	(i) <del>communication</del> <u>English language</u> arts; <del>including, but not limited to</del>

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and listening, media literacy;	<del>literature, reading, writing, speaking and listening, media literacy;</del>
(ii) mathematics including, but not limited to written and mental computation and problem solving;	(ii) mathematics including, but not limited to <del>written and mental computation and problem solving;</del>
(iii) physical and life sciences;	No Change
(iv) social studies; and	No Change
(v) health enhancement.	No Change
(d) At a minimum, the middle school curriculum shall maintain in balance the following required program areas:	<del>(d)</del> (e) At a minimum, the middle school curriculum shall maintain in balance the following required program areas:
(i) visual arts including, but not limited to art history, art criticism, aesthetic perception, and production;	No Change
(ii) music including, but not limited to general, instrumental, and vocal (emphasizing comprehensive music elements, music history, criticism, aesthetic perception, and musical production);	No Change
(iii) vocational technical education such as agriculture, business education, family and consumer sciences, industrial arts, and marketing; and	(iii) <del>vocational</del> <u>career and</u> technical education such as agriculture, business education, family and consumer sciences, industrial <u>technology education</u> <del>arts</del> , and <del>marketing</del> ; and
(iv) world languages.	(iv) world languages <u>and cultures</u> .
(e) Exploratory courses such as creative	<del>(e)</del> (f) Exploratory courses <del>such as creative writing, dance, drama,</del>

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writing, dance, drama, photography, and leadership shall be offered as electives to all students.	<del>photography, and leadership</del> shall be offered as electives to all students.
(4) A junior high or 7-8 school for middle grades must offer an educational program, aligned to the program area standards, that enables all students to meet the content and performance standards. The educational program shall be designed to familiarize students with the high school setting and provide content-specific instruction.	(4) A junior high or 7-8 school for middle grades must offer an education program, aligned to the program area standards, that enables all students to meet the content and <del>performance</del> standards <u>and content specific grade-level learning progressions.</u>
	<u>(a) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana Common Core Standards of Chapter 53 Administrative Rules of Montana.</u>
(a) All students shall complete the following program areas each year:	<del>(a)</del> <u>(b)</u> All students shall complete the following program areas each year:
(i) communication arts--1 unit;	(i) <del>communication</del> <u>English language</u> arts— 1 unit;
(ii) social studies--1 unit;	No Change
(iii) mathematics--1 unit;	No Change
(iv) science--1 unit; and	No Change
(v) health enhancement--1/2 unit.	No Change
(b) All students must be allowed to elect from the following program area offerings:	No Change

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(i) visual arts--1/2 unit;	No Change
(ii) music--1/2 unit;	No Change
(iii) vocational technical education--1/2 unit; and	(iii) <del>vocational</del> <u>career and</u> technical education—1/2 unit; and
(iv) world languages--1/2 unit.	(iv) world languages <u>and cultures</u> —1/2 unit.
(c) A unit is defined as the equivalent of at least 225 minutes per week for one school year.	(c) A unit is defined as the equivalent of at least <del>225</del> <u>7200</u> minutes <del>per week</del> for one school year.
(d) Time to pass between classes may be counted toward the standard school day but shall not be counted toward class time. (History: 20-2-114, MCA; IMP, 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00.)	No Change
<b>10.55.904 BASIC EDUCATION PROGRAM OFFERINGS: HIGH SCHOOL</b>	
(1) The basic education program, aligned to the program area standards, for grades 9 through 12 shall be at least 20 units of coursework that enable all students to meet the content and performance standards.	(1) The basic education program, aligned to the program area standards, for grades 9 through 12 shall be at least 20 units of coursework that enable all students to meet the content <del>and performance</del> standards <u>and content specific grade-level learning progressions</u> .
	(2) <u>Instruction in reading literacy and writing literacy shall be incorporated into all required and in the Montana Common Core</u>

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	<u>Standards of Chapter 53 Administrative Rules of Montana.</u>
(2) Minimum offerings shall include at least the following:	<del>(2)</del> <u>(3)</u> Minimum offerings shall include at least the following:
(a) 4 units of English language arts;	No Change
(b) 3 units of mathematics;	No Change
(c) 3 units of science;	No Change
(d) 3 units of social studies;	No Change
(e) 2 units of vocational/technical education;	(e) 2 units of vocational/ <u>career and</u> technical education;
(f) 2 units of arts;	No Change
(g) 1 unit of health enhancement;	No Change
(h) 2 units of world languages; and	No Change
(i) 2 units of electives. (History: 20-2-114, MCA; IMP, 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00.)	No Change
<b>10.55.905 GRADUATION REQUIREMENTS</b>	
(1) As a minimum, a school district's requirements for graduation shall include a total of 20 units of study that enable all students to meet the content and	(1) As a minimum, a school district's requirements for graduation shall include a total of 20 units of study that enable all students to meet the content <del>and performance</del> standards <u>and content specific grade-level</u>

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performance standards.	<u>learning progressions.</u>
(2) In order to meet the content and performance standards, the following 13 units shall be part of the 20 units required for all students to graduate:	No Change
(a).4 units of English language arts;	No Change
(b) 2 units of mathematics;	No Change
(c) 2 units of social studies;	No Change
(d) 2 units of science;	No Change
(e) 1 unit of health enhancement, with 1/2 unit each year for two years;	No Change
(f) 1 unit of arts;	(f) 1 unit of arts; <u>and</u>
(g) 1 unit of vocational/technical education.	(g) 1 unit of <del>vocational/</del> <u>career and</u> technical education.
(3) Units of credit earned in any Montana high school accredited by the Board of Public Education shall be accepted by all Montana high schools.	No Change
(4) In accordance with the policies of the local board of trustees, students may be graduated from high school with less than four years enrollment. (History: 20-2-114, MCA; IMP, 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD,	No Change

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2000 MAR p. 3340, Eff. 12/8/00.)	
<b>10.55.906 HIGH SCHOOL CREDIT</b>	
(1) A high school shall require a minimum of 20 units of credit for graduation, including ninth grade units. A unit of credit shall be given for satisfactory completion of a full-unit course.	(1) A high school shall require a minimum of 20 units of credit for graduation, including ninth grade units. <del>A unit of credit shall be given for satisfactory completion of a full-unit course.</del>
(a) A unit of credit is defined as the equivalent of at least 225 minutes per week for one year.	(a) A unit of credit is defined as the equivalent of at least 225 <u>7200</u> minutes <del>per week</del> for one <u>school</u> year.
(b) Passage of time between classes may be counted toward the standard school day but shall not be counted toward class time.	No Change
(2) A student who is unable to attend class for the required amount of time may be given fractional credit for partial completion of a course, with the local administrator's permission.	No Change
(3) Each governing authority may waive specific course requirements based on individual student needs and performance levels. Waiver requests shall also be considered with respect to age, maturity, interest, and aspirations of the students and shall be in consultation with the parents or guardians.	No Change
(4) With the permission of the school district trustees, a student may be given credit for a course satisfactorily completed in a period of	(4) With the permission of the school district <del>trustees</del> , a student may be given credit for a course satisfactorily completed in a period of time



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time shorter or longer than normally required and, provided that the course meets the district's curriculum and assessment requirements, which are aligned with the content and performance standards stated in the education program. Examples of possible acceptable course work include correspondence and extension courses, distance learning courses, adult education, summer school, work study, specially designed courses and challenges to current courses. Any acceptable program must be consistent with local board policy.	shorter or longer than normally required and, provided that the course meets the district's curriculum and assessment requirements, which are aligned with the content <del>and performance</del> standards stated in the education program. Examples of <del>possible</del> acceptable course work include <u>those delivered through</u> correspondence and extension <del>courses</del> , distance learning <del>courses</del> , adult education, summer school, work study, specially designed courses, and challenges to current courses. <del>Any</del> Acceptable programs <u>must</u> be consistent with local board <u>of trustees'</u> policy.
(a) Any Montana high school shall accept such units of credit taken with the approval of the accredited Montana high school in which the student was then enrolled and which appear on the student's official transcript. (History: 20-2-114, MCA; IMP, 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00.)	(5) <del>Any</del> Montana high schools <u>shall</u> accept such units of credit taken with the approval of the accredited Montana high school in which the student was then enrolled and which appear on the student's official transcript.
<b>10.55.907 DISTANCE, ONLINE, AND TECHNOLOGY DELIVERED LEARNING</b>	
(1) This rule establishes requirements for distance, online, and technology delivered learning programs and/or courses that fulfill elementary or middle grades basic education programs and/or high school graduation	No Change

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requirements	
(2) School districts may receive and/or provide distance, online, and technology delivered learning programs	No Change
(a) School districts receiving distance, online, and technology delivered learning programs to supplement instruction may utilize distance, online, and technology delivered learning as they would other supplementary resources without restriction	No Change
(b) Distance, online, and technology delivered learning programs and/or courses shall meet the learner expectations adopted by the school district and be aligned with state content and performance standards	(b) Distance, online, and technology delivered learning programs and/or courses shall <del>meet the learner expectations adopted by the school district and at a minimum</del> be aligned with state content and performance standards <u>and content specific grade-level learning progressions.</u>
(c) A school district shall provide a report to the Superintendent of Public Instruction documenting how it is meeting the needs of students under the accreditation standards who are taking a majority of courses during each grading period via distance, online, and/or technology-delivered programs.	(c) <u>By the first Monday in June,</u> a school district shall report to the Superintendent of Public Instruction <del>documenting how it is meeting the needs of students under the accreditation standards who are taking a majority of courses during each grading period via distance, online, and/or technology-delivered programs</del> <u>all distance, online and technology delivered courses, student enrollments, and the digital content providers.</u>
(3) Except as provided in (3)(a), teachers of distance, online, and technology delivered learning programs shall be licensed and endorsed in Montana or elsewhere in the area of instruction taught with such license granted as a result of the completion of an accredited professional educator preparation program as defined in ARM 10.57.102(3).	No Change

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School districts receiving distance, online, and technology delivered learning programs described in this rule shall have a distance learning facilitator for each course and available to the students.	
(a) When a teacher of distance, online, and technology delivered learning programs and/or courses does not possess the qualifications specified in (3), the facilitator must be licensed and endorsed in Montana or elsewhere in the area of instruction facilitated with such license granted as a result of the completion of an accredited professional educator preparation program as defined in ARM 10.57.102(3).	No Change
(i) The provisions of (3) and (3)(a) shall not be effective until July 1, 2009.	<del>(ii) The provisions of (3) and (3)(a) shall not be effective until July 1, 2009.</del>
(b) When a teacher of distance, online, and technology delivered learning programs is qualified as provided in (3), the receiving school district's facilitator shall be a licensed teacher or a para-educator.	No Change
(c) School districts receiving distance, online, and technology delivered learning programs and/or courses must provide qualified facilitators for synchronous delivery to students in schools accredited by the Montana Board of Public Education, requiring physical presence of a facilitator, and for asynchronous delivery, requiring facilitators be available to students.	No Change

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(d) The school district must ensure that the distance, online, and technology delivered learning facilitators receive in-service training on technology delivered instruction pertaining to:	(d) The school district must ensure that the distance, online, and technology delivered learning facilitators receive in-service training on technology delivered instruction <del>pertaining to:</del>
(i) the course organization;	<del>(i) the course organization;</del>
(ii) classroom management;	<del>(ii) classroom management;</del>
(iii) technical aspects of the delivery method;	<del>(iii) technical aspects of the delivery method;</del>
(iv) strategies for use of distance learning;	<del>(iv) strategies for use of distance learning;</del>
(v) monitoring of student testing;	<del>(v) monitoring of student testing;</del>
(vi) and securing other services as needed.	<del>(vi) and securing other services as needed.</del>
(4) Montana school districts providing distance, online and technology delivered learning shall comply with the teacher load requirements of ARM 10.55.713(3).	No Change
(5) All providers or coordinating entities of distance, online, and technology delivered learning programs shall annually, no later than October 1:	<del>(5) All providers or coordinating entities of distance, online, and technology delivered learning programs shall annually, no later than October 1:</del> <u>Digital content providers serving Montana BPE accredited schools shall:</u>
(a) register with the Office of Public Instruction;	(a) <u>by the first Monday in August,</u> register with the Office of Public Instruction; <u>if not previously registered; and</u>
(b) identify all Montana school districts to whom they are providing distance, online, and technology delivered programs and/or courses;	(b) <u>by the third Monday in June,</u> identify <del>all the</del> Montana school districts <del>to whom they are providing distance, online, and technology delivered programs and/or courses;</del> <u>served by the digital content provider, including the courses and student enrollments for each school district served; and</u>
(c) document the professional qualifications, including Montana teacher licensure and	(c) document the professional qualifications of their teachers of distance,

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endorsement, of their teachers of distance, online, and technology delivered programs and/or courses;	online, and technology delivered programs and/or courses <u>by providing names and credentials of other licensing entities, when not licensed and endorsed in Montana.</u>
(d) provide the course description including the content and delivery model for each distance, online, and technology delivered program and/or course provided to Montana schools; and	<del>(d) provide the course description including the content and delivery model for each distance, online, and technology delivered program and/or course provided to Montana schools; and</del>
(e) demonstrate that the students they serve have ongoing contact with their teachers of distance, online, and technology delivered learning programs and/or courses. (History: 20-2-114, MCA; IMP, 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1995 MAR p. 626, Eff. 4/28/95; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00; AMD, 2004 MAR p. 719, Eff. 4/9/04; AMD, 2007 MAR p. 692, Eff. 5/25/07; AMD, 2008 MAR p. 2048, Eff. 9/26/08.)	<del>(e) demonstrate that the students they serve have ongoing contact with their teachers of distance, online, and technology delivered learning programs and/or courses.</del>
<b>10.55.908 SCHOOL FACILITIES</b>	
(1) School facilities shall be constructed, maintained, and supervised in accordance with all applicable local, state and national codes, regulations, and laws	No Change
(2) School facilities shall be of sufficient size and arrangement to meet all programs' educational goals	No Change
(3) The board of trustees shall provide for	(3) The board of trustees shall provide for educational facilities which are

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educational facilities which are pleasant and reasonably safe for the conduct of the educational and extracurricular activities of students, and which will meet federal accessibility standards	<del>pleasant</del> <u>functional</u> and <del>reasonably</del> safe for the conduct of the educational and extracurricular activities of students, and which will meet federal accessibility standards.
(4) The school shall provide the necessary equipment for emergency nursing care and first aid	(4) The school shall provide the necessary equipment for <del>emergency nursing care</del> and first aid.
(5) When the board of trustees considers major remodeling or building a facility, it shall seek facility expertise in all affected program areas as well as comments from faculty, students, and community	No Change
(6) The board of trustees shall have in writing a policy that defines the use of school facilities and resources. (History: 20-2-114, MCA; IMP, 20-2-121, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD & TRANS from 10.55.2001, 2000 MAR p. 3340, Eff. 12/8/00.)	(6) The board of trustees shall have <del>in writing</del> <u>a written</u> policy that defines the use of school facilities and resources.
<b>10.55.909 Student Records</b>	
(1) Each school shall keep, in secure storage, a permanent file of students' records, that shall include:	No Change
(a) the name and address of the student;	No Change
(b) his/her parent or guardian;	No Change
(c) birth date;	No Change

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(d) academic work completed;	No Change
(e) level of achievement (grades, standardized achievement tests);	No Change
(f) immunization records as per 20-5-406, MCA; and	No Change
(g) attendance data; and	No Change
(h) the statewide student identifier as assigned by the Office of Public Instruction.	No Change
(2) The board of trustees shall establish policies and procedures for the use and transfer of student records that are in compliance with state and federal laws governing individual privacy. All educational records collected and maintained by a school shall be kept in a confidential manner according to the implementing regulations of the Family Educational Rights and Privacy Act (FERPA) at 34 CFR part 99.	No Change
(3) All inactive permanent records from a school that closes shall be sent to the county superintendent or the appropriate county official. (History: 20-2-114, MCA; IMP, 20-2-121, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1994 MAR p. 166, Eff. 1/28/94; AMD & TRANS from 10.55.2002, 2000 MAR p. 3340, Eff. 12/8/00; AMD, 2004 MAR p. 2277, Eff. 9/24/04; AMD, 2005 MAR p. 575, Eff. 4/15/05; AMD, 2012 MAR p. 305, Eff.	No Change



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<b>10.55.910 STUDENT DISCIPLINE RECORDS</b>	
<p>(1) Each school shall maintain a record of any disciplinary action that is educationally related, with explanation, taken against the student. For the purpose of this rule, a disciplinary action that is educationally related is an action that results in the expulsion or out-of-school suspension of the student. This record is subject to transfer to a local educational agency or accredited school pursuant to 10-1-213(4), MCA. Upon request, a copy of this record shall be sent to a nonpublic school pursuant to 20-1-213(7), MCA, and the No Child Left Behind Act, 20 USC 6301. (History: 20-2-114, MCA; IMP, 20-1-213, 20-2-121, MCA; NEW, 2005 MAR p. 1390, Eff. 4/15/05.)</p>	<p>(1)Each school shall maintain a record of any disciplinary action that is educationally related, with explanation, taken against the student. For the purpose of this rule, a disciplinary action that is educationally related is an action that results in the expulsion or out-of-school suspension of the student. This record <del>is subject</del> <u>must be maintained consistent with the guidance from the Montana Local Government Records Committee and is subject</u> to transfer to a local educational agency or accredited school pursuant to 20-1-213(4), MCA. Upon request, a copy of this record shall be sent to a nonpublic school pursuant to 20-1-213(7), MCA, and the No Child Left Behind Act, 20 USC 6301.</p>